

Bill as
Introduced

HB 391-FN - AS INTRODUCED

2013 SESSION

13-0239

06/03

HOUSE BILL **391-FN**

AN ACT relative to highway noise and establishing a commission to study options for mitigation of damages associated with highway noise.

SPONSORS: Rep. Keith Murphy, Hills 7

COMMITTEE: Transportation

ANALYSIS

This bill prohibits the department of transportation from commencing transportation projects unless noise levels from such projects at adjacent residences are determined to be below 65 decibels.

This bill also establishes a commission to consider options for mitigating damages associated with highway noise.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears ~~[in brackets and struck through]~~.
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to highway noise and establishing a commission to study options for mitigation of damages associated with highway noise.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Minimization of Noise Levels. Amend RSA 228 by inserting after section 4-b the
2 following new section:

3 228:4-c Minimization of Noise Levels. No state highway construction or extension project shall
4 commence unless and until the department certifies that the noise levels resulting from such project
5 impacting any primary residence shall, upon completion, be projected to be below 65 decibels as
6 measured at the exterior wall of such residence at the point nearest the completed project.

7 2 New Section; Commission to Study Options for Mitigation of Damages Associated With
8 Highway Noise. Amend RSA 228 by inserting after section 15 the following new section:

9 228:15-a Commission to Study Options for Mitigation of Damages Associated With Highway
10 Noise.

11 I. There is established a commission to study options for mitigating damages associated with
12 highway noise.

13 II. The members of the commission shall be as follows:

14 (a) Three members of the house of representatives, appointed by the speaker of the
15 house of representatives.

16 (b) Two members of the senate, appointed by the president of the senate.

17 (c) The commissioner of the department of transportation, or designee.

18 (d) A member of the public whose primary residence is exposed to road noise that
19 exceeds 65 decibels, appointed by the speaker of the house of representatives.

20 III. Legislative members of the commission shall receive mileage at the legislative rate when
21 attending to the duties of the commission.

22 IV. The commission shall:

23 (a) Review all complaints the department has received about road noise since January 1,
24 2005, and the location of any noise samples exceeding 65 decibels that were taken since that date at
25 properties adjacent to a state highway.

26 (b) Review data regarding the cost and effectiveness of methods of ameliorating road
27 noise including methods used in New Hampshire, methods used in other states, and methods that
28 are currently in development.

29 (c) Gather and review information on the effects noise levels above 65 decibels have on
30 people whose primary residences abut highways, including testimony from affected individuals.

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- Page 2 -

1 (d) Investigate options for mitigating damages caused by highway noise including
2 compensation, methods detailed by the department, and any other technology that may exist.

3 V. The members of the commission shall elect a chairperson from among the members. The
4 first meeting of the commission shall be called by the first-named house member. The first meeting
5 of the commission shall be held within 45 days of the effective date of this section. Four members of
6 the commission shall constitute a quorum.

7 VI. The commission shall report its findings and any recommendations for proposed
8 legislation to the speaker of the house of representatives, the president of the senate, the house
9 clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

10 3 Repeal. RSA 228:15-a relative to the commission to study options for mitigating damages
11 associated with highway noise, is repealed.

12 4 Effective Date.

13 I. Section 1 of this act shall take effect 60 days after its passage.

14 II. Section 3 of this act shall take effect November 2, 2013.

15 III. The remainder of this act shall take effect upon its passage.

LBAO
13-0239.1
01/16/13

HB 391-FN - FISCAL NOTE

AN ACT relative to highway noise and establishing a commission to study options for mitigation of damages associated with highway noise.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

HB 391 FISCAL NOTE

AN ACT relative to highway noise and establishing a commission to study options for mitigation of damages associated with highway noise.

FISCAL IMPACT:

The Department of Transportation states this bill, as introduced, will increase state expenditures by an indeterminable amount in FY 2013 and each year thereafter. There will be no fiscal impact on state, county, and local revenues, or county and local expenditures.

METHODOLOGY:

The Department of Transportation states this bill prohibits the commencement of any state highway construction or extension project unless and until the Department certifies the noise levels resulting from the project shall be projected to be below 65 decibels upon completion, as measured from the exterior wall of each residence at the point nearest the completed construction. The proposed legislation also establishes a committee to study options for mitigation of damages associated with highway noise. The Department is unable to determine the extent to which the proposed legislation will increase state expenditures as the Department is unable to evaluate the number of residential properties adjacent to planned projects necessary to gain an understanding of the associated costs. The Department notes the costs would be dependent upon the results of any necessary highway traffic noise evaluations and the additional noise abatement measures that would be required in order to keep the noise levels from the project below 65 decibels upon completion.

HB 391-FN - AS AMENDED BY THE HOUSE

13Mar2013... 0449h

2013 SESSION

13-0239
06/03

HOUSE BILL

391-FN

AN ACT establishing a committee to study options for mitigation of damages associated with highway noise.

SPONSORS: Rep. Keith Murphy, Hills 7

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill establishes a committee to consider options for mitigating damages associated with highway noise.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT establishing a committee to study options for mitigation of damages associated with highway noise.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Committee to Study Options for Mitigation of Damages Associated With Highway Noise.

2 I. There is established a committee to study options for mitigating damages associated with
3 highway noise.

4 II. The members of the committee shall be as follows:

5 (a) Three members of the house of representatives, one of whom shall be a member of
6 the public works and highways committee, appointed by the speaker of the house of representatives.

7 (b) Two members of the senate, appointed by the president of the senate.

8 III. Members of the committee shall receive mileage at the legislative rate when attending to
9 the duties of the committee.

10 IV. The committee shall:

11 (a) Review data regarding the cost and effectiveness of methods of ameliorating road
12 noise including methods used in New Hampshire, methods used in other states, and methods that
13 are currently in development.

14 (b) Gather and review information on the effects noise levels above 65 decibels have on
15 people whose primary residences abut highways, including testimony from affected individuals.

16 (c) Investigate options for mitigating damages caused by highway noise including
17 compensation, methods detailed by the department, and any other technology that may exist.

18 V. The members of the committee shall elect a chairperson from among the members. The
19 first meeting of the committee shall be called by the first-named house member. The first meeting of
20 the committee shall be held within 45 days of the effective date of this section. Three members of the
21 committee shall constitute a quorum.

22 VI. The committee shall report its findings and any recommendations for proposed
23 legislation to the speaker of the house of representatives, the president of the senate, the house
24 clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

25 2 Effective Date. This act shall take effect upon its passage.

HB 391-FN – AS AMENDED BY THE SENATE

13Mar2013... 0449h

04/18/13 1125s

2013 SESSION

13-0239

06/03

HOUSE BILL **391-FN**

AN ACT establishing a committee to study options for mitigation of damages associated with highway noise.

SPONSORS: Rep. Keith Murphy, Hills 7

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill establishes a committee to consider options for mitigating damages associated with highway noise.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

13Mar2013... 0449h

04/18/13 1125s

13-0239

06/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT establishing a committee to study options for mitigation of damages associated

with highway noise.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Committee to Study Options for Mitigation of Damages Associated With Highway Noise.

I. There is established a committee to study options for mitigating damages associated with highway noise.

II. The members of the committee shall be 5 members of the house of representatives, one of whom shall be a member of the public works and highways committee, appointed by the speaker of the house of representatives.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The committee shall:

(a) Review data regarding the cost and effectiveness of methods of ameliorating road noise including methods used in New Hampshire, methods used in other states, and methods that are currently in development.

(b) Gather and review information on the effects noise levels above 65 decibels have on people whose primary residences abut highways, including testimony from affected individuals.

(c) Investigate options for mitigating damages caused by highway noise including compensation, methods detailed by the department, and any other technology that may exist.

V. The members of the committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

2 Effective Date. This act shall take effect upon its passage.

LBAO

13-0239

Amended 03/18/13

HB 391 FISCAL NOTE

AN ACT establishing a committee to study options for mitigation of damagers associated with highway noise.

FISCAL IMPACT:

The Office of Legislative Budget Assistant states this bill, as amended by the House (Amendment #2013-0449h), will have no impact on state, county and local revenues or expenditures.

METHODOLOGY:

This bill establishes a committee to study options for mitigation of damages associated with highway noise and will have no impact on state, county and local revenues or expenditures.

CHAPTER 122
HB 391-FN - FINAL VERSION

13Mar2013... 0449h
04/18/13 1125s

2013 SESSION

13-0239
06/03

HOUSE BILL **391-FN**

AN ACT establishing a committee to study options for mitigation of damages associated with highway noise.

SPONSORS: Rep. Keith Murphy, Hills 7

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill establishes a committee to consider options for mitigating damages associated with highway noise.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 122
HB 391-FN - FINAL VERSION

13Mar2013... 0449h
04/18/13 1125s

13-0239
06/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT establishing a committee to study options for mitigation of damages associated with highway noise.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 122:1 Committee to Study Options for Mitigation of Damages Associated With Highway Noise.

2 I. There is established a committee to study options for mitigating damages associated with
3 highway noise.

4 II. The members of the committee shall be 5 members of the house of representatives, one of
5 whom shall be a member of the public works and highways committee, appointed by the speaker of
6 the house of representatives.

7 III. Members of the committee shall receive mileage at the legislative rate when attending to
8 the duties of the committee.

9 IV. The committee shall:

10 (a) Review data regarding the cost and effectiveness of methods of ameliorating road
11 noise including methods used in New Hampshire, methods used in other states, and methods that
12 are currently in development.

13 (b) Gather and review information on the effects noise levels above 65 decibels have on
14 people whose primary residences abut highways, including testimony from affected individuals.

15 (c) Investigate options for mitigating damages caused by highway noise including
16 compensation, methods detailed by the department, and any other technology that may exist.

17 V. The members of the committee shall elect a chairperson from among the members. The
18 first meeting of the committee shall be called by the first-named house member. The first meeting of
19 the committee shall be held within 45 days of the effective date of this section. Three members of the
20 committee shall constitute a quorum.

21 VI. The committee shall report its findings and any recommendations for proposed
22 legislation to the speaker of the house of representatives, the president of the senate, the house
23 clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

24 122:2 Effective Date. This act shall take effect upon its passage.

25 Approved: June 25, 2013

26 Effective Date: June 25, 2013

Amendments

Senate Transportation
March 26, 2013
2013-1125s
06/05

Amendment to HB 391-FN

1 . Amend paragraph II as inserted by section 1 of the bill by replacing it with the following:

2

3 II. The members of the committee shall be 5 members of the house of representatives, one of
4 whom shall be a member of the public works and highways committee, appointed by the speaker of
5 the house of representatives.

Committee Minutes

**SENATE CALENDAR NOTICE
TRANSPORTATION**

Senator Jim Rausch Chairman
 Senator Peggy Gilmour V Chairman
 Senator David Boutin
 Senator Nancy Stiles
 Senator David Watters

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: March 20, 2013

HEARINGS

Tuesday

3/26/2013

TRANSPORTATION

LOB 103

1:00 PM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

1:00 PM HB391-FN

(New Title) establishing a committee to study options for mitigation of damages associated with highway noise.

1:15 PM HB146

increasing the speed limit on a portion of I-93 to 70 miles per hour.

Sponsors:

HB391-FN

Rep. Keith Murphy

HB146

Rep. Karen Umberger

Rep. Thomas Buco

Rep. Laurence Rappaport

Rep. Rick Ladd

Rep. Edward Butler

SENATE TRANSPORTATION COMMITTEE

Jennifer Horgan, Legislative Aide

HB 391-FN – (New Title) establishing a committee to study options for mitigation of damages associated with highway noise.

Hearing Date: 03/26/2013

Time Opened: 1:00 PM

Time Closed: 1:23 PM

Members of the Committee Present: Senators Rausch, Gilmour, Boutin, Stiles, Watters

Members of the Committee Absent: No one

Bill Analysis: This bill establishes a committee to consider options for mitigating damages associated with highway noise.

Sponsors: Rep. Keith Murphy, Hills 7

Who supports the bill: Representative Murphy, Ralph Dutton (Murphy), Judy Sarette (Murphy), Sandy Duriga (Murphy)

Who opposes the bill: No one

Summary of testimony presented in support:

Representative Murphy

- The catalyst of the bill came from a neighborhood in Manchester that has been affected by the placement of the highway as a result of the airport exit.
- The neighborhood does not qualify for a sound barrier. Qualifies under the noise decibel, but does not qualify for the required number of houses. The Department of Transportation has a policy to not spend more than \$30,000 per house, therefore the neighborhood must have a certain number of houses to qualify (14-15). This neighborhood only has 8 houses.
- Department of Transportation has been involved and working with the families, but cannot do anything due to the lack of density issue in the neighborhood.
- This committee will study alternative materials and options for the construction of the sound barrier to look for a possible cheaper solution that would allow the neighborhood to qualify under the \$30,000 per house requirement.

- Senator Watters asked where these policies are found.
 - They have a set of guidelines that's revised about every 10-15 years that determine cost effectiveness.
- Senator Gilmour asked for his thoughts on changing the members of the committee
 - Leave that up to the Committee's discretion.

Ralph Dutton, Judy Sarette and Sandy Duriga

- Shared their personal stories regarding their neighborhood that has been affected by the highway as a result of the airport exit.
- Lost quality of life, cannot utilize backyards, serious depletion in property value.

Summary of testimony presented in opposition:

None

Fiscal Note: Please see Fiscal Note dated 03/18/2013.

Future Action: The Committee took the bill under advisement.

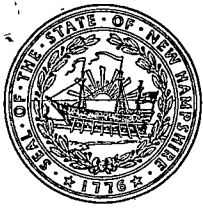
JCH

Date hearing report completed: 03/29/2013

[file: HB 391-FN report]

Speakers

Testimony



State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

*Received 10/28/13
Senate Clerk's Office*

MEMORANDUM

DATE: October 25, 2013

TO: Honorable Margaret Wood Hassan, Governor
Honorable Terie Norelli, Speaker of the House
Honorable Chuck W. Morse, President of the Senate
Honorable Karen O. Wadsworth, House Clerk
Honorable Tammy L. Wright, Senate Clerk
Michael York, State Librarian

FROM: Representative Laura Pantelakos, Chairman

SUBJECT: Final Report on HB 391, Chapter 122, Laws of 2013

Pursuant to HB 391, Chapter 122, Laws of 2013, enclosed please find the Final Report of the Committee to Study Options for Mitigation of Damages Associated with Highway Noise.

If you have any questions or comments regarding this report, please do not hesitate to contact me.

I would like to thank those members of the committee who were instrumental in this study. I would also like to acknowledge all those who testified before the committee and assisted in our study.

LP/dm
Enclosure

cc: Committee Members

**Committee to Study Options for Mitigation of Damages
Associated with Highway Noise
HB 391, Chapter 122, Laws of 2013
Final Report
October 25, 2013**

Membership

**Representative Laura Pantelakos Representative Kevin Waterhouse
Representative Keith Murphy Representative George Sykes
Representative Maureen Mann**

Commission Charge

Chapter 122:1, IV

IV. The committee shall:

- (a) Review data regarding the cost and effectiveness of methods of ameliorating road noise including methods used in New Hampshire, methods used in other states, and methods that are currently in development.
- (b) Gather and review information on the effects noise levels above 65 decibels have on people whose primary residences abut highways, including testimony from affected individuals.
- (c) Investigate options for mitigating damages caused by highway noise including compensation, methods detailed by the department, and any other technology that may exist.

Meeting Dates

August 29, 2013 Organization
September 10, 2013
September 24, 2013
October 9, 2013
October 15, 2013 (Report Approved 5-0)

Findings

The Committee received testimony from numerous individual homeowners from the Town of Bedford, as well as shared concerns from constituents in Portsmouth and Windham, regarding the impact of recent highway construction and expansion. In general, those concerns included:

Degraded quality of life. Testimony spoke of inability to utilize outdoor space such as a deck or pool for recreation or relaxation, inability to sleep with the windows open, inability to carry on a conversation outside, being regularly woken by truck air brakes even with the windows closed, and strangers stopping to urinate within sight of the house.

Loss of property value. Two people stated that their most recent appraisals lowered their assessments \$30-40,000, with one appraisal done for a refinancing specifically noting the loud highway noise as a reason for the loss in value.

Expense in attempting to address the problem individually. One homeowner stated that she and her husband spent \$15,000 installing a berm and landscaping in order to block as much noise as possible, to little effect.

The Committee finds that highway noise, especially those caused by new or widened highways, is a serious problem negatively affecting the quality of life and property values of many of our citizens, and necessitates legislative action. Further, as our state continues to add population, develop more property, add more highways, and generally become more dense, the problem will only become exacerbated.

The Committee believes that it is important that this problem be addressed sooner rather than later so as to minimize future impacts on our constituents' quality of life and property values. However, the Committee acknowledges the limitations imposed by current funding constraints.

Summary of Current Policies

There are two types of programs that allow federal funding to build highway noise barriers. Type I programs, which include the program operated by NH, allow noise barriers to be built as part of a substantial (Type I) highway project if certain criteria are met. Type II programs, of the sort operated by Massachusetts, allow noise barriers to be built independently after the highway is built or expanded if those same criteria are met. Those criteria are:

The majority of abutters agree to the project.

The projected noise levels exceed 65 decibels.

Modeling indicates that a noise barrier will be effective at reducing the noise levels.

The cost of the wall per affected residence, or cost per receptor (CPR), must be less than \$45,000, based on an estimated wall cost of \$30/sf.

It is primarily the last criteria on this list which attracted the most attention within the Committee, as there are a number of projects including the ones in Bedford, Portsmouth, and Windham that meet the top three but fall short of the cost-benefit formula, leaving citizens exposed to the noise. The format of these criteria is dictated by the FHWA, which must approve the policy in order to qualify for federal funding, but the state has wide latitude in deciding the actual variables, including the CPR. When citizens complain to NHDOT about the noise and cite the impact on their quality of life, NHDOT's practice is to share the math behind the decision,

indicate that the CPR would be too high for this particular project, and that they do not meet the criteria established by DOT policy for constructing a sound barrier/noise mitigation.

Comparison of NH policy to other states indicates that we are solidly in the middle of the pack. In terms of New England, MA operates a Type II program, ME has a Type I program but sets a CPR slightly lower than NH, and VT does not operate a program at all. Regarding the rest of the nation, Type I programs outnumber Type II, and several states operate both. Maryland has the nation's highest CPR, set at \$81,000.

Investigation of Other Technologies

NHDOT testified that several alternative technologies have been tried, including plastic sound barriers and metal walls, but that concrete barriers are the only ones to be found effective. A member of the Committee specifically asked about fiberglass mats hung on a wood or metal frame, a product called "Acoustiblok," and the NH DOT spokesman stated that the department looked into that product and did not believe that it would be effective. The Committee received correspondence from the manufacturer in the form of a memo from an engineering firm based in Portland, Oregon attesting to reductions in sound levels of 5-7 decibels when used to block noise from a high-speed rail line between Tacoma and Seattle, WA.

Recommendations

The Committee makes the following recommendations and wishes to submit legislation to that effect:

1. That the CPR, currently set by NHDOT policy, is established in law at \$50,000 upon approval by the FHWA. Submission to the FHWA shall commence no later than 10 days after the effective date of the passage of legislation increasing the CPR. The NHDOT is encouraged to make such application to the FHWA prior to the passage of such a bill, as has been past practice.
2. That the other criteria for our existing Type I program are also established in law.
3. That the Committee be extended through the next legislative term to consider the possibility of establishing a Type II program for the purpose of assisting those citizens already harmed by noise created by past highway projects and ascertain possible funding for that program, such as special assessments, tax increment financing, or other methods with the cooperation of the municipality.
4. That the Committee further be charged with reporting on the cost of any noise barriers constructed, specifically noting the impact of increasing the CPR from \$45,000 to \$50,000, based on an estimated wall cost of \$30/sf.
5. The NHDOT shall provide quarterly reports to the Committee to fulfill their reporting obligation.

Draft Amendment #1

The New Hampshire Department of Transportation's Policy and Procedural Guidelines for the Assessment and Abatement of Highway Traffic Noise for Type I Highway Projects, signed June 28, 2011 and July 6, 2011, should be codified in statute. Such act shall include the following change to the current policy and shall contain a limitation:

The cost per receptor of \$45,000 (CPR) used to meet the test of "reasonableness" shall be raised to \$50,000 CPR in the calculation of the Dimensional Effectiveness Index (DEI) and Cost Effectiveness Index (CEI).

Such amendment should be submitted to the Federal Highway Administration for approval no later than 10 days after the passage of this act.

Draft Amendment #2

Amend Chapter 122:1, Laws of 2013 as follows:

122:1 Committee to Study Options for Mitigation of Damages Associated With Highway Noise.

I. There is established a committee to study options for mitigating damages associated with highway noise.

II. The members of the committee shall be 5 members of the house of representatives, one of whom shall be a member of the public works and highways committee, appointed by the speaker of the house of representatives.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The committee shall:

(a) Review data regarding the cost and effectiveness of methods of ameliorating road noise including methods used in New Hampshire, methods used in other states, and methods that are currently in development.

(b) Gather and review information on the effects noise levels above 65 decibels have on people whose primary residences abut highways, including testimony from affected individuals.

(c) Investigate options for mitigating damages caused by highway noise including compensation, methods detailed by the department, and any other technology that may exist.

(d) Consider the possibility of establishing a Type II program for the purpose of assisting those citizens already harmed by noise created by past highway projects and ascertain possible

funding for that program, such as special assessments, tax increment financing, or other methods with the cooperation of the municipality.

(e) That the committee further be charged with reporting on the cost of any noise barriers constructed, specifically noting the impact of increasing the cost per receptor (CPR) from \$45,000 to \$50,000.

(f) The New Hampshire Department of Transportation shall provide quarterly reports to the committee to fulfill their reporting obligation under paragraph (e).

V. The members of the committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, [2013] 2014.

122:2 Effective Date. This act shall take effect upon its passage.

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Date: 03/27/2013

THE COMMITTEE ON Transportation

to which was referred House Bill 391-FN

AN ACT (New Title) establishing a committee to study options for mitigation of damages associated with highway noise.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1125s

CONSENT CALENDAR VOTE: 5-0

Senator David R. Boutin for the Committee

This bill establishes a committee to study how increased noise levels that arise from state highway projects may be mitigated. The committee will also consider the issue of compensatory damages that may be awarded by the state to affected property owners. The Committee amended the bill to increase the number of Representatives from three to five and removed Senators from the study committee.

Jennifer Horgan 271-3091

New Hampshire General Court - Bill Status System

Docket of HB391

Docket Abbreviations

Bill Title: (New Title) establishing a committee to study options for mitigation of damages associated with highway noise.

Official Docket of HB391:

Date	Body	Description
1/3/2013	H	Introduced 1/3/2013 and Referred to Transportation; HJ 12 , PG.194
1/30/2013	H	Public Hearing: 2/12/2013 3:00 PM LOB 203
2/13/2013	H	Executive Session: 2/19/2013 10:15 AM LOB 203 ==RECESSED==
2/19/2013	H	==RECONVENE== Executive Session: 2/26/2013 11:00 AM LOB 203
2/27/2013	H	Committee Report: Ought to Pass with Amendment #0449h(NT) for Mar 13. (Vote 11-0; CC); HC 22 , PG.512
2/27/2013	H	Proposed Committee Amendment #2013-0449h (New Title); HC 22 , PG.546-547
3/13/2013	H	Amendment #0449h(NT): AA VV; HJ 26 , PG.770
3/13/2013	H	Ought to Pass with Amendment #0449h(NT): MA VV; HJ 26 , PG.770
3/14/2013	S	Introduced and Referred to Transportation
3/20/2013	S	Hearing: 3/26/13, Room 103, LOB, 1:00 p.m.; SC13
4/8/2013	S	Committee Report: Ought to Pass with Amendment #2013-1125s , 4/18/13; Vote 5-0; CC; SC16
4/18/2013	S	Committee Amendment 1125s, AA, VV;
4/18/2013	S	Ought to Pass with Amendment 1125s, MA, VV; OT3rdg;
5/22/2013	H	House Concurs with Senate AM #1125s (Rep Bouchard): MA VV; HJ43 , PG.1464
5/30/2013	S	Enrolled
5/30/2013	H	Enrolled, Recess of 5/29/13; HJ45 , PG.1527
6/27/2013	H	Signed By Governor 06/25/2013; Effective 06/25/2013; Chapter 0122

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 391-FN ORIGINAL REFERRAL _____ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE

HEARING REPORT

_____ HANDOUTS FROM THE PUBLIC HEARING

_____ PREPARED TESTIMONY AND OTHER SUBMISSIONS

SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 11255 _____ - AMENDMENT # _____
_____ - AMENDMENT # _____ _____ - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED AS AMENDED BY THE HOUSE
 FINAL VERSION AS AMENDED BY THE SENATE

_____ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes): _____

DATE DELIVERED TO SENATE CLERK 7/23/13

James J. Reagan
BY COMMITTEE AIDE